

Introduced by Senator Florez

February 22, 2008

An act to amend Section 4369 of the Welfare and Institutions Code, relating to gambling.

LEGISLATIVE COUNSEL'S DIGEST

SB 1616, as introduced, Florez. Problem gambling: therapist training and treatment programs.

Existing law establishes the Office of Problem and Pathological Gambling in the State Department of Alcohol and Drug Programs. The office is responsible for developing a problem gambling prevention program and a program to support treatment services for California residents with problem and pathological gambling issues. Existing law requires that implementation of these programs be based upon allocation priorities established by the State Department of Alcohol and Drug Programs, subject to appropriation of funding for these purposes. The problem gambling prevention program is given first priority for funding appropriated to the office.

This bill would authorize the office to establish a program through grant or contract to increase the number of qualified problem and pathological gambling treatment therapists and to establish a stepped-care plan of treatment to provide comprehensive care to problem and pathological gamblers and their families. The bill would require the office to award funds to design therapist training and statewide treatment programs for problem and pathological gambling, together with a statewide training and treatment oversight system, as specified. The bill would require the office, beginning July 1, 2009, and annually each July 1 thereafter, subject to appropriation by the Legislature, to award grants in connection with the therapist training and treatment

programs, and the oversight system. The bill would require the Bureau of State Audits, beginning July 1, 2012, and every 3 years thereafter, to report to the Governor and the Legislature on the effectiveness and use of funding of the therapist training and treatment programs.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) According to the California Research Bureau, in 2005,
4 California's gambling industry surpassed Nevada's to become the
5 most prolific gambling state in the nation. In 2005, California's
6 gambling industry had \$12.16 billion in revenues compared to
7 \$11.65 billion in Nevada.

8 (b) According to an August 2007 prevalence study
9 commissioned by the Office of Problem and Pathological Gambling
10 within the California Department of Alcohol and Drug Programs,
11 nearly 1 million Californians, one in every 28 adults, have
12 developed "significant, lifetime problems related to gambling."
13 The estimated societal cost of problem and pathological gambling
14 in California is approximately \$1 billion a year.

15 (c) Beginning in the 2003–04 fiscal year, the State of California
16 has annually appropriated approximately \$3 million from the Indian
17 Gaming Special Distribution Fund to pay for the Office of Problem
18 and Pathological Gambling. The Office of Problem and
19 Pathological Gambling's programs are primarily focused on
20 prevention efforts, such as statewide ads, public service
21 announcements, and education campaigns regarding problem
22 gambling. The Office of Problem and Pathological Gambling is
23 not responsible for, and has not been given the express authority
24 to use state funds for the purposes of, treatment.

25 (d) Beginning in the 2007, California's card clubs collectively
26 began contributing approximately \$150,000 a year for programs
27 intended to benefit persons who have a gambling addiction
28 problem. The funds are to be passed through the Office of Problem
29 Gambling to community-based organizations that directly provide
30 aid and assistance to persons with gambling addiction problems.

1 The first appropriation of these funds has been included in the
2 proposed 2008–09 budget.

3 (e) Current research suggests that treatment for pathological
4 gambling is effective, despite the absence of a federal Food and
5 Drug Administration approved medication or standard practice
6 guidelines. Data from the state of Minnesota shows that
7 pathological gamblers can achieve a 40-60 percent abstinence rate
8 one year after the completion of treatment. It is estimated that for
9 every one dollar spent on treating and preventing pathological
10 gambling, another seven dollars are saved from the General Fund.

11 (f) States such as Oregon, Minnesota, Iowa, Nebraska, and
12 Connecticut have excellent examples of state-funded treatment for
13 pathological gambling. Oregon employs a stepped-care approach,
14 meaning that care for pathological gamblers is available from the
15 least drastic intervention to 24-hour care.

16 (g) Oregon budgets \$4.65 million per year for the treatment of
17 problem and pathological gambling. According to a factsheet
18 published in 2007 by the Oregon Department of Human Services,
19 gambling revenues in Oregon were approximately \$1.27 billion
20 in 2004.

21 (h) According to the California Counsel on Problem Gambling,
22 there are fewer than 30 therapists in California that are trained and
23 certified to provide treatment services to problem and pathological
24 gamblers.

25 (i) It is the intent of the Legislature, through the enactment of
26 this act, to establish a grant program to develop the infrastructure
27 in California to provide treatment services to problem and
28 pathological gamblers and their families. This act will establish a
29 grant program to be administered by the Office of Problem and
30 Pathological Gambling that will increase the number of qualified
31 treatment therapists and establish a stepped-care plan of treatment
32 to mitigate the human toll and fiscal impact of problem and
33 pathological gambling in California.

34 SEC. 2. Section 4369 of the Welfare and Institutions Code is
35 amended to read:

36 4369. (a) There is within the State Department of Alcohol and
37 Drug Programs, the Office of Problem and Pathological Gambling.

38 (b) *The office may establish a program through grant or contract*
39 *to increase the number of qualified problem and pathological*
40 *gambling treatment therapists and to establish a stepped-care plan*

1 of treatment to provide comprehensive care to problem and
2 pathological gamblers and their families. Indirect administrative
3 costs of a contractor or grantee shall not exceed 15 percent of the
4 funds awarded. Funds shall be awarded by the office in the manner
5 specified in subdivision (c) for the following purposes:

6 (1) To design a problem and pathological gambling therapist
7 training program.

8 (2) To design a statewide problem and pathological gambling
9 treatment program.

10 (3) To design a statewide training and treatment oversight
11 system.

12 (c) (1) The therapist training program designed pursuant to
13 paragraph (1) of subdivision (b) shall establish the scope of
14 training and other requirements to ensure that trainees demonstrate
15 a minimum level of competency. The office shall award the grant
16 to design the training program on or before April 1, 2009.

17 (2) The treatment program designed pursuant to paragraph (2)
18 of subdivision (b) shall utilize an integrated and comprehensive
19 approach to provide various levels of care for problem and
20 pathological gamblers throughout the state. "Various levels of
21 care" shall include, but not be limited to, brief interventions,
22 outpatient treatment, and residential treatment. This will ensure
23 that every resident of California will be eligible for treatment
24 services. The office shall be responsible for distributing treatment
25 funds via grants to qualified treatment providers. Treatment efforts
26 shall provide services that are relevant to the needs of a diverse
27 multicultural population with attention to groups with unique
28 needs, including female gamblers, underserved ethnic groups, the
29 elderly, youth, young adults, and persons with physical disabilities.
30 The design and implementation process of this treatment program
31 shall be completed by July 1, 2009.

32 (3) The office shall assemble a nonlegislative, academic team
33 with experience in problem gambling treatment and research to
34 establish an oversight system that will use performance measures
35 to evaluate the effectiveness of the therapist training and treatment
36 programs. This oversight system shall provide ongoing
37 recommendations and corrective action plans that can be
38 integrated into the therapist training and treatment programs to
39 enhance effectiveness and delivery of care. The administrators of
40 this oversight system shall report the results to the office and the

1 *Legislature annually. The design of the statewide training and*
2 *treatment oversight system shall be completed by July 1, 2009.*

3 *(d) Beginning July 1, 2009, and annually each July 1 thereafter,*
4 *subject to appropriation by the Legislature, the office shall award*
5 *grants to do all of the following:*

6 *(1) Offer new problem gambling therapist training and*
7 *continuing education for current problem gambling therapists in*
8 *accordance with the training program.*

9 *(2) Provide care to problem and pathological gamblers in*
10 *accordance with the treatment program.*

11 *(3) Monitor, evaluate, and develop recommendations and*
12 *corrective action plans in accordance with the training and*
13 *treatment oversight system.*

14 *(e) The Bureau of State Audits shall report to the Governor and*
15 *the Legislature on or before July 1, 2012, and every three years*
16 *thereafter, on the effectiveness and use of funding of the problem*
17 *and pathological gambling therapist training and treatment*
18 *programs.*

19 *(f) No more than 1 percent of the annual revenue sharing*
20 *contributions deposited in the General Fund from tribal-state*
21 *gaming compacts concluded after 2002 shall be made available*
22 *to the office in any fiscal year to fund the problem and pathological*
23 *gambling therapist training and treatment programs and the report*
24 *of the Bureau of State Audits.*